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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: HARBAUGH, et al.

SERIAL NO.: 10/760,999 Group Art Unit: 3731

FILED: January 20, 2004 Examiner: EREZO, Darwin P.

FOR: SYSTEMS AND METHODS FOR PERFORMING
MINIMALLY INVASIVE INCISIONS

Attorney Docket No.: 50642/287728

Date: October 5, 2006

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

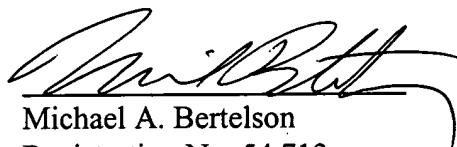
In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08a are cited for consideration by the Examiner. Copies of the cited non-U.S. publications are enclosed.

Submission of the references provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

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This Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before the mailing date of an office action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due, the Commissioner is authorized to charge any fee due to Deposit Account No. 11-0855.

Respectfully submitted,



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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/760,999

Filing Date

January 20, 2004

First Named Inventor

Mark Harbaugh

Art Unit

3731

Examiner Name

Erezo, Darwin P.

Attorney Docket Number

50642/287728

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
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Kilpatrick Stockton, LLP

Signature

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Michael A. Bertelson

Date

October 5, 2006

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54,713

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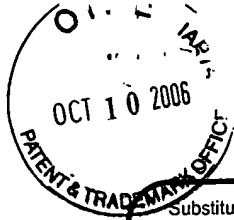
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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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1

of

1

Complete if Known

Application Number	10/760,999
Filing Date	January 20, 2004
First Named Inventor	Robert C. THORNBERRY
Art Unit	3731
Examiner Name	
Attorney Docket Number	50642/287728

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-5,947,971	09-1999	Kuslich, et al.	
		US-5,980,535	11-1999	Barnett, et al.	
		US-6,383,188	05-2002	Kuslich, et al.	
		US-6,993,374 B2	01-2006	Sasso	

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 2004/084740	10-07-2004	Brevig		
		WO 2006/044367 A1	04-27-2006	Smith & Nephew		
		WO 2006/060631 A1	06-08-2006	Smith & Nephew		

Examiner Signature		Date Considered	
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